

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3227 of 1996

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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NARSHI MULJI PATEL & CO

Versus

G. E. B.

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Appearance:

MR PB MAJMUDAR for Petitioner

MR TUSHAR MEHTA for Respondent No. 1

SERVED BY DS for Respondent No. 2, 3, 4

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CORAM : MR.JUSTICE M.S.PARIKH

Date of decision: 18/12/96

ORAL JUDGEMENT

Rule. Service of Rule waived by Mr.Tushar Mehta,  
learned Advocate appearing for the respondent Board.

2. Heard. In the facts of the case following  
direction is required to be given.

The grievance of the petitioner in this Special Civil Application is that some of the evidence would require consideration at the hands of the Appellate Committee. Hence, the Appellate Committee is directed to re-hear the petitioner's Appeal afresh. The matter is accordingly remanded to the Appellate Authority (Appellate Committee) for taking fresh decision after hearing the petitioner and after considering the evidence produced by the petitioner. The Order (Annexure : F) is accordingly quashed and set aside coupled with the direction of remand, as stated above.

Rule made absolute in the aforesaid terms. No order as to costs.

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